

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DIMAS LOPEZ, et al.,	)	
	)	8:06CV459
Plaintiffs,	)	
	)	
vs.	)	ORDER
	)	
TYSON FOODS, INC.,	)	
	)	
Defendant.	)	

This matter is before the court following a planning conference with counsel on April 4, 2007. Brian P. McCafferty represented the plaintiffs and Allison D. Balus and Joel M. Cohn represented the defendant. Counsel discussed modifications to their Rule 26(f) report in light of the court's denial of the defendant's motion for summary judgment on March 20, 2007 (Filing No. 56). After the discussion with counsel, the Order For Initial Progression of Case (Filing No. 27) is supplemented as follows:

**IT IS ORDERED:**

1. The plaintiffs shall have to **on or before June 15, 2007**, in which to file any motion for collective action under the Fair Labor Standards Act or for a class action pursuant to Fed. R. Civ. P. 23.
2. Any discovery on the issue relating to collective action or class certification shall be completed **on or before July 20, 2007**.
3. The defendant shall have to **on or before August 20, 2007**, in which to respond to any motion for collective action or class action certification.
4. The plaintiffs shall have to **on or before September 14, 2007**, in which to reply to the defendant's response set forth above.
5. The court will conduct a telephone planning conference with counsel for all parties **on September 21, 2007, at 9:00 a.m. Central Daylight Time** for the purpose of further progressing this matter. Counsel for the plaintiffs shall initiate the telephone conference.

DATED this 4th day of April, 2007.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge